

Notice of Allowability

Application No.

10/519,240

Examiner

Justin K. Holmes

Applicant(s)

KAYAMA ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/22/06.
2. ☒ The allowed claim(s) is/are 22,24,28-30,33-38,40-43 and 45.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George A. Loud, Esq. on February 15, 2007 at 10:30 am EST.

Claim 43 has been amended to include the allowable subject matter of original claim 32 that was not in the claim. Claim 44 has been cancelled since it contained the language of original claim 32 and depended on claim 43.

The application has been amended as follows:

In the claims:

In claim 43, line 28 after the word "rotation" has been deleted and the following words have been inserted in its place -- rotation; wherein said brake is on the axial side of said first planetary gear unit opposite said speed reducing second planetary gear unit; and said brake is operated by a hydraulic servo formed in a wall of a case housing said first planetary gear unit.--

Claim 44 has been cancelled.

Allowable Subject Matter

2. Claims 22, 24, 28-30, 33-38, 40-43 and 45 are allowed.

3. The following is an examiner's statement of reasons for allowance: The prior art of record does not render obvious an automatic transmission having a first planetary

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gear unit mounted with a case including a first, second, third and fourth rotary components and wherein a third clutch is located on the axial side of the speed reducing second planetary gear unit opposite the first planetary gear unit; wherein the third clutch comprises a third hydraulic servo, friction members, a drum unit that is constructed integrally with the third hydraulic servo and opens toward the speed reducing second planetary gear unit and a hub unit; and wherein the third hydraulic servo is disposed on a boss extending from the case and oil is supplied to the third hydraulic servo from an oil path in said boss and the remaining structure of claim 22.

The prior art of record does not render obvious an automatic transmission having a first planetary gear unit mounted with a case including a first, second, third and fourth rotary components and wherein the second planetary gear unit has an input rotary element that receives input of the rotation of the input shaft, and an intermediate element, said reduced speed rotary element being rotatable at a reduced speed based on the rotation of the input rotary element and fixation against rotation of the intermediate element wherein the third clutch selectively connects the reduced speed rotary element and the first rotary component and the remaining structure of claim 42.

The prior art of record does not render obvious an automatic transmission having a first planetary gear unit mounted with a case including a first, second, third and fourth rotary components and wherein the brake is on the axial side of said first planetary gear unit opposite said speed reducing second planetary gear unit; and said brake is operated by a hydraulic servo formed in a wall of a case housing said first planetary gear unit and the remaining structure of claim 43.

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The prior art of record does not render obvious an automatic transmission having a planetary gear unit having a second sun gear which receives the reduced speed rotation of the reduced speed rotation output means; a first sun gear receives input of rotation from the input shaft when the first clutch is engaged, and which is fixed against rotation by engagement of a first brake; a carrier which receives input of rotation of the input shaft when the second clutch is engaged, which is fixed against rotation by engagement of a second brake; a ring gear is linked to the output member; and reduced speed rotation output means for receiving input rotation from the input shaft, for reducing the speed of the input rotation and for outputting rotation at the reduced speed to the second sun gear and the remaining structure of claim 45.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin K. Holmes whose telephone number is (571) 272-5930. The examiner can normally be reached on 8:00am to 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKH

2/15/07



Charles A. Marmo 2/16/07
CHARLES A. MARMO
SUPERVISORY PATENT EXAMINER
3681